

March 17, 2020

Via ECF

Hon. Jesse M. Furman
United States District Court
Southern District of New York
40 Centre Street, Room 2202
New York, NY 10007

Re: Homeward Residential Inc. v. Sand Canyon Corporation
Index No.: 12-cv-5067 (JMF) (JLC)

Your Honor:

Pursuant to the Court's Electronic Case Filing Rules & Instructions § 6 and Your Honor's Individual Practices for filing redacted materials, Plaintiff Homeward Residential, Inc., respectfully seeks leave to redact from its Reply Memorandum in Further Support of its Motion for Summary Judgment references to certain documents (the "Confidential Materials") and to file Homeward's Responses to Defendant Sand Canyon's Counter-Statement to Plaintiff's Rule 56.1 Statement of Material Facts and Sand Canyon's Response to Plaintiff's Rule 56.1 Statement of Material Facts and its Reply Memorandum in Further Support of its Motion to Exclude Certain Testimony from Defendant's Experts, under seal. Plaintiff's papers are being filed simultaneously.

The Confidential Materials consist of (i) documents produced by Plaintiff and Defendant in the action, including expert reports, which both parties have designated "Confidential" or "Highly Confidential" pursuant to the Protective Order applicable in this case (Dkt. 66), (ii) deposition testimony that the Parties have designated "Highly Confidential" or "Confidential," and (iii) Homeward's Responses to Defendant's Counter-Statement of Material Facts. Homeward intends to file its responses to Defendant's Counter-Statement of Material Facts under seal because Defendant designated its entire Counter-Statement as "Confidential." See Dkt. 374.

For these reasons, we respectfully ask that the Court grant Plaintiff's request for leave to redact the references to the Confidential Materials in its memorandum of law and to file its responses to Sand Canyon's Counter-Statement of Facts and its Reply Memorandum in

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Further Support of its Motion to Exclude Certain Testimony from Defendant's Experts under seal.

Respectfully submitted,

/s/ Brian V. Otero

Brian V. Otero

HUNTON ANDREWS KURTH

for Plaintiff Homeward Residential, Inc.

Plaintiff's motion is temporarily GRANTED. The Court will decide whether to keep the materials under seal or in redacted form when deciding the underlying motions. The Clerk of Court is directed to terminate ECF No. 380. SO ORDERED.

A handwritten signature in black ink, appearing to read 'Jesse M. Furman', is centered on the page.

March 19, 2020